

1 BILL NO. G-96-02- 03

2 GENERAL ORDINANCE NO. 12-06-96

3 AN ORDINANCE AMENDING CHAPTER 70 AND
4 CHAPTER 71 OF THE CITY OF FORT WAYNE
5 CODE OF LAWS.

6
7 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
8 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
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10 SECTION 1. That Chapter 70, Section 70.32 (C) (4) of the City of
11 Fort Wayne Code of Laws be amended as follows:
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14 **Sec. 70.32 City Traffic Engineer; Establishment; Duties:**

15 (C) (4) Devise one-way streets and alleys in accordance with Sec.
16 71.02, Sec. 71.04 and Sec. 71.05.
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19 SECTION 2. That Section 71.04 and Section 71.05 be added to
20 Chapter 71 of the City of Fort Wayne Code of Laws:
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22 **Sec. 71.04 Authority to Sign One-Way Streets and Alleys.**

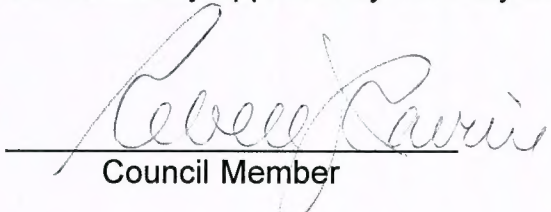
23 Whenever this Chapter or any ordinance of this City
24 designates any one-way street or alley, the traffic engineer shall
25 place and maintain signs giving notice thereof, and any such
26 regulation shall be effective once such signs are in place. Signs
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1 indicating the direction of lawful traffic movement shall be placed at
2 every intersection where movement of traffic in the opposite
3 direction is prohibited.


4 **Sec. 71.05 Operation of Vehicles on One-Way Streets and Alleys.**

5 Upon those streets and parts of streets and in those alleys
6 described in Schedule 3, vehicular traffic shall move only in the
7 indicated direction when signs indicating the direction of traffic are
8 erected and maintained at every intersection where movement in the
9 opposite direction is prohibited.
10

11 **SECTION 3.** That this Ordinance shall remain in full force and effect
12 from and after its passage and any and all necessary approval by the Mayor.
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14 
15 Rebecca Rawn
16 Council Member

17 APPROVED AS TO FORM AND LEGALITY

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19 J. Timothy McCauley, Corporation Counsel
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The City of Fort Wayne

Paul Helmke, Mayor

TRAFFIC ENGINEERING DEPARTMENT (219)427-1172 ROOM 740

February 6, 1996

Fort Wayne City Council
Rm 126 City County Building
1 Main St
Fort Wayne IN 46802

RE: Omission to Title 7 Traffic Code

Dear Council Members:

Please be advised that while reviewing the Traffic Code for updating the various schedules, it was found that the portions that made up Article VII (ONE WAY STREETS AND ALLEYS) were omitted in the most recent "City Code of Ordinances".

Section 70.32 (C) () refers to Section 71.02 One Way Streets and Alleys when in actuality that section covers Driving in Alleys.

The code should be amended to include Article VII Section 53 & Section 54 as attached.

Sincerely,

Tom Manny
Traffic Engineer

TAM/ld

Enclosure

of the Common Council.

(C) It shall be the particular duty of the City Traffic Engineer to:

(1) Designate crosswalks and safety zones and mark traffic lanes in accordance with § 70.16.

(2) Place turn markers, buttons or signs in accordance with § 71.03.

(3) Determine turn restrictions in accordance with § 71.03.

(4) Devise one-way streets and alleys in accordance with § 71.02

(5) Erect stop signs on through streets in accordance with § 71.16.

(6) Determine angle parking locations in accordance with § 72.02(A).
(‘74 Code, § 17-5) (Ord. S-185-85, passed 10-8-85)

§ 70.33 CERTIFICATE OF TITLE INSPECTIONS.

(A) *Police officers authorized to inspect vehicles.* Pursuant to IC 9-1-2-1, Police Officers of the Police Department are authorized to inspect motor vehicles, semi-trailers and recreational vehicles to verify the facts set forth in the application for certificate of title for such vehicles.

(B) *Inspection fee.* The Police Department is hereby authorized to charge a fee in the sum of \$5 for each vehicle inspected. Such fee shall be charged to the owner of such vehicle(s) for the inspection verification of the facts set forth in the application for such certificate of title for such vehicle(s).

(C) *Collection, remittance of fees; vehicle inspection fund.* The Police Officer making the inspection is authorized to collect such fees and shall remit such fees daily to the Chief of Police or his duly authorized representative. The Chief of Police or his duly authorized representative shall remit such fees monthly to the City Controller, who shall deposit such fees in a dedicated Vehicle Inspection Fund which can be appropriated only for law enforcement purposes.

(D) *Receipt for fee.* A receipt for the city title and inspection fee shall be given to the owner paying such fee with a duplicate copy of such form retained

by the Police Department.

(‘74 Code, § 17-5.1) (Ord. S-185-85, passed 10-8-85)

ENFORCEMENT; ARREST PROCEDURE

§ 70.45 AUTHORITY OF POLICE OFFICERS; MEMBERS OF THE FIRE DEPARTMENT TO ASSIST POLICE OFFICERS.

(A) It shall be the duty of the officers of the Police Department of the city to enforce all street traffic laws of the city and all state vehicle laws applicable to street traffic in this city.

(B) Officers of the Police Department are hereby authorized to direct all traffic in conformance with all traffic laws and regulations; provided, that in the event of a fire or other emergency, to expedite traffic or to safeguard pedestrians, the officers shall direct traffic as conditions may require, notwithstanding the provisions of the traffic laws and regulations.

(C) Members of the Fire Department, when at the scene of a fire, may direct or assist the Police in directing the traffic thereat or in the immediate vicinity thereof.

(‘74 Code, § 17-14) (Ord. S-185-85, passed 10-8-85)

§ 70.46 PROCEDURE FOR ARREST.

Except when authorized or directed under the state law to immediately take a person arrested for a violation of any traffic law before a magistrate, any police officer, upon making an arrest for violation of the state traffic laws, this chapter or other traffic ordinances of this city, shall take the name, address and operator's license number of the alleged violator and the registered number of the motor vehicle involved, shall issue to him in writing, on the form provided by the City Clerk, pursuant to § 70.48, a notice to answer to the charge against him at a place and at a time at least five days after such arrest to be specified in the notice and forthwith release the person arrested from custody. The officer shall send one copy of such notice to the Captain of the Traffic Division or Records Bureau and one copy to the Traffic Violations Bureau.

(‘74 Code, § 17-8) (Ord. S-185-85, passed 10-8-85)

CHAPTER 71: TRAFFIC RULES

Section

OPERATION OF VEHICLES

Operation of Vehicles

- 71.01 Limitations on backing
- 71.02 Driving in alleys
- 71.03 Restrictions on U-turns

Through Streets; Stop Intersections and Yield Intersections

- 71.15 Designation of through streets
- 71.16 Stop signs; authority to erect

Speed Regulations

- 71.25 Application of state speed laws;
exception
- 71.26 State speed limits increased in certain
zone
- 71.27 Speed limits in public parks

Parades and Processions

- 71.40 Permit required

Prohibited Acts

- 71.50 Boarding or alighting from vehicles
- 71.51 Riding on vehicles not designed for
passenger use
- 71.52 Driving on sidewalks prohibited

Alcoholic Beverage Containers in Motor Vehicles within City Limits

- 71.60 Definitions
- 71.61 Possession or consumption prohibited
- 71.62 Operator or owner of motor
- 71.99 Penalty

§ 71.01 LIMITATIONS ON BACKING.

No driver of a vehicle shall back such vehicle across any marked or unmarked crosswalk or into any intersection, nor shall he back such vehicle at any other place, unless such movement can be made with reasonable safety and without interfering with other traffic.

('74 Code, § 17-21) (Ord. S-185-85, passed 10-8-85)

§ 71.02 DRIVING IN ALLEYS.

No driver of any vehicle shall drive into, on or through any alley or any portion thereof except for the purpose of going to or departing from a place or property abutting the section or block of such alley which such driver has caused his vehicle to enter. When such driver is operating or driving such vehicle in, on or through any alley or portion thereof the vehicle shall not exceed a speed of ten miles per hour. ('74 Code, § 17-26) (Ord. S-185-85, passed 10-8-85)

§ 71.03 RESTRICTIONS ON U-TURNS.

No driver of any vehicle shall turn such vehicle so as to proceed in the opposite direction, herein otherwise referred to as a U-turn, upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic or where properly posted by uniform traffic control sign.

('74 Code, § 17-30) (Ord. S-185-85, passed 10-8-85)

disobey the directions of any such signs. (Ord. 2726, § 1.)

Sec. 52. Limitations on turning around.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction (herein otherwise referred to as a U turn) upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. (Ord. 2726, § 1.)

Article VII. One-Way Streets and Alleys.

Sec. 53. Authority to sign one-way streets and alleys.

Whenever this chapter or any ordinance of this city designates any one-way street or alley, the traffic engineer shall place and maintain signs giving notice thereof, and any such regulation shall be effective once such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (Ord. 2726, § 1.)

Sec. 54. Operation of vehicles on one-way streets and alleys.

Upon those streets and parts of streets and in those alleys described in Schedule 3, set out in section 170, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. (Ord. 2726, § 1.)

Article VIII. Through Streets, Stop Intersections and Yield Intersections.

Sec. 55. Through streets designated.

Those streets and parts of streets described in Schedule 4, set out in section 171, are hereby declared to be through streets for the purpose of this article. (Ord. 2726, § 1.)

Sec. 56. Authority to erect stop signs.

Whenever this chapter or any ordinance of it shall be the duty of the city traffic engineer to maintain a stop sign on each street intersection thereof described and designated in Schedule out in sections 171 and 172, as such by this ordinance of this city. (Ord. 2726, § 1.)

Sec. 57. Signs to bear the word "Stop".

Every sign erected pursuant to section 56 word "STOP" in letters not less than eight inches and such sign shall at nighttime be rendered steady or flashing internal illumination, or by light projected on the face of the sign, or by reflecting elements on the face of the sign. Every sign shall be located as near as practicable to the near crosswalk on the near side of the intersection the nearest line of the intersecting roadway. (Ord. 2726, § 1.)

Sec. 58. Vehicles to stop at stop signs.

When stop signs are erected, as provided at or near the entrance to any intersection, a vehicle approaching the same shall stop at such sign or at a clearly marked stop line at the intersection, except when directed to proceed by an officer or traffic control signal, and shall yield to other vehicles which have entered the intersection from the intersecting street or which are a close hazard, but such driver having so yielded and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding into or across the intersecting street. (Ord. 2726, § 1; Ord. G-15, § 5)

Sec. 59. Emerging from alley or private driveway.

The driver of a vehicle emerging from an alley or building shall stop such vehicle immediately before the entrance to the alley or building.

Read the first time in full and on motion by Warrior,
and duly adopted, read the second time by title and referred to the
committee on Regulations (and the City Plan Commission
or recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, 19____, the _____ day of _____
M., E.S.T. _____ at _____ o'clock

DATED: 2-13-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT				

DATED: 2-27-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-06-96
on the 27th day of February, 1996

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Rebecca Perrine
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 28th day of February, 1996.
at the hour of 11:00 o'clock P, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 1st day of March,
1996, at the hour of 2:00 o'clock P, M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE GENERAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE TRAFFIC ENGINEERING

SYNOPSIS OF ORDINANCE 1. AMENDS CHAPTER 70, SEC. 70.32 (C) (4) OF THE CODE OF ORDINANCES; WHICH ESTABLISHES THE DUTIES OF THE TRAFFIC ENGINEER TO BE IN ACCORDANCE WITH SEC. 71.04 AND SEC. 71.05 OF THE CODE OF ORDINANCES.

2. ADDS SECTION 71.04 AND SECTION 71.05 TO CHAPTER 71 OF THE CODE OR ORDINANCES: 71.04 - ESTABLISHES THE AUTHORITY OF THE TRAFFIC ENGINEER TO SIGN ONE-WAY STREETS AND ALLEYS; 71.05 - ESTABLISHES OPERATION OF VEHICLES ON ONE-WAY STREETS AND ALLEYS AUTHORIZED THE BY THE TRAFFIC ENGINEER.

EFFECT OF PASSAGE CHAPTER 70 AND CHAPTER 71 ARE AMENDED.

EFFECT OF NON-PASSAGE CHAPTER 70 AND CHAPTER 71 ARE NOT AMENDED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. G-96-02-03

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) AMENDING CHAPTER 70
AND CHAPTER 71 OF THE CITY OF FORT WAYNE CODE OF LAWS

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<u>Rebecca Ravine</u>	_____	_____	_____
<u>Thomas E. Hayhurst</u>	_____	_____	_____
<u>Martin A. Bender</u>	_____	_____	_____
<u>John W. Casper</u>	_____	_____	_____
<u>D. Schmitt</u>	_____	_____	_____
<u>Thomas P. Murphy</u>	_____	_____	_____
<u>Public Works</u>	_____	_____	_____
<u>Debra Hall</u>	_____	_____	_____
_____	_____	_____	_____

DATED: 2-27-96

Sandra E. Kennedy
City Clerk